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Attorneys for Defendant
WELLS FARGO BANK, N.A.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

FELETI LIVAI,

Plaintiff,

vs.

WELLS FARGO BANK, NATIONAL
ASSOCIATION, and DOES 1 through 10,
inclusive,

Defendant.

[Formerly Superior Court of California,
County of Alameda Case No. RG17861550]

**NOTICE OF REMOVAL PURSUANT TO
28 U.S.C. §§ 1441 AND 1331 [FEDERAL
QUESTION JURISDICTION]**

Action Filed: May 24, 2017

Action Removed: June 22, 2017

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA AND ALL PARTIES AND THEIR ATTORNEYS
OF RECORDS:

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446, defendant
WELLS FARGO BANK, N. A. (“Wells Fargo”) hereby removes the above-captioned action from
the Superior Court of the State of California, in the County of Alameda, to the United States
District Court for the Northern District of California. Wells Fargo alleges it is entitled to removal
pursuant to 28 U.S.C. § 1331, based upon federal question jurisdiction, as follows:

1. Wells Fargo is named in the complaint filed on May 24, 2017, by plaintiff Feleti Livai
 (“Plaintiff”) in the Superior Court of the State of California, in the County of Alameda, Case No.

1 RG17861550, entitled *Feleti Livai v. Wells Fargo Bank National Association* (“the State Court
2 Action”).

3 2. This notice of removal is timely under 28 U.S.C. § 1446(b) and Federal Rule of Civil
4 Procedure 6(a) because it was filed within 30 days of service on Wells Fargo of a copy of the
5 complaint on May 24, 2017.

6 3. Removal to the United States District Court for the District of California is proper
7 because this district embraces the county in which Plaintiff filed the State Court Action. *See* 28
8 U.S.C. § 1441(a).

9 4. This action is a civil action of which this Court has original jurisdiction under 28
10 U.S.C. § 1331, and is one which may be removed to this Court pursuant to the provisions of 28
11 U.S.C. § 1441(b) because it alleges causes of action arising under the following federal statutes:
12 the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.*

13 5. This Court has supplemental jurisdiction over Plaintiff’s remaining claim, for
14 violation of the California Consumer Credit Reporting Agencies Act pursuant to 28
15 U.S.C. § 1367(a) and 28 U.S.C. § 1441(c).

16 6. As required by 28 U.S.C. § 1446(d), Wells Fargo will provide written notice of the
17 removal of this action to Plaintiff and to the Alameda County Superior Court.

18 7. Pursuant to 28 U.S.C. § 1446(a), attached hereto as **Exhibit A** are accurate copies all
19 of papers received as of June 22, 2017.

20 WHEREFORE, Wells Fargo prays that the State Court Action be removed from Alameda
21 County Superior Court and that this Court assumes jurisdiction over the action and determines it
22 on its merits.

1 DATED: June 22, 2017

SEVERSON & WERSON
A Professional Corporation

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4 By: /s/Adam A. Vukovic
Adam A. Vukovic

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6 Attorneys for Defendant WELLS FARGO BANK, N.A.
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